

# United States District Court

WESTERN DISTRICT OF WASHINGTON

PERCY LEVY

JUDGMENT IN A CIVIL CASE

v.

WASHINGTON STATE DEPARTMENT  
OF CORRECTIONS et al,

CASE NUMBER: C08-5694RJB-KLS

\_\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  X   **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

1. The Court **ADOPTS** the Report and Recommendation;
2. Defendants' Motion to Dismiss for Failure to Exhaust Administrative Remedies is **GRANTED** in so far as follows;
  - (a) The federal claims contained in plaintiff's complaint are hereby **DISMISSED** without prejudice; and
  - (b) The Court **DECLINES** to exercise supplemental jurisdiction over the plaintiff's state law claims; and
  - (c) The remaining state claims contained in the complaint are hereby **REMANDED** to Superior Court for Thurston County.

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May 5, 2009

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BRUCE RIFKIN  
Clerk

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Jennie L. Patton  
Deputy Clerk